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GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2005 REGULAR SESSION

SENATE BILL NO. 141

THURSDAY, FEBRUARY 17, 2005

The following bill was reported to the House from the Senate and ordered to be printed.

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TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adles

AN ACT relating to certification of a geologist-in-training.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 Section 1. KRS 322A.010 is amended to read as follows:

2 As used in this chapter, unless the context requires otherwise:

3 (1) "Geology" means the science which treats the earth as a whole; the investigation,
4 analysis, classification, and location of the rocks and other materials which compose
5 the earth's crust; the study of minerals, gases, and liquids composing and contained
6 within the earth's crust; and the study of geologic materials and processes;

7 (2) "Geologist" means a person who is qualified by reason of his knowledge of the
8 principles of geology, acquired by professional education and practical experience,
9 to engage in the public practice of geology;

10 (3) "Public practice of geology" means the performance of service to the public in
11 connection with the geological description, location, or evaluation of earth
12 materials, liquids, and gases and the natural processes acting upon them. The
13 "public practice of geology" does not include:

14 (a) The practice of engineering or land surveying as defined in KRS Chapter 322;
15 or

16 (b) Design recommendations, design, or plans related to the practice of
17 engineering or land surveying as defined in KRS Chapter 322.

18 (4) "Registered geologist" means a person who is registered as a geologist under the
19 provisions of this chapter;

20 (5) "Qualified geologist" means a person who possesses all the qualifications specified
21 in KRS 322A.040 for registration except that he is not now registered in Kentucky;
22 and

23 (6) "Board" means the Kentucky Board of Registration for Professional Geologists.

24 (7) **"Geologist-in-training" means an individual who has met the academic**
25 **qualifications established by the board, who has successfully passed a written**

examination approved by the board demonstrating knowledge of the fundamentals of geology, and who has been enrolled by the board as a geologist-in-training.

Section 2. KRS 322A.040 is amended to read as follows:

(1) In order to qualify for registration, an applicant shall meet all of the following requirements:

(a) Successful completion of a minimum of thirty (30) semester hours or forty-five (45) quarter hours of course work in geology, culminating in a baccalaureate or advanced degree in geology, geophysics, geochemistry, or geological/geotechnical engineering from an accredited college or university.

At the discretion of the board, courses dealing with applied geological science that are given under the auspices of an academic department other than geology may be considered toward the fulfillment of this requirement. During the twelve (12) month period beginning one hundred and eighty (180) days after July 14, 1992, the board may waive the education requirements for persons who derive their livelihood from the public practice of geology who do not meet the education requirements, but who can demonstrate to the satisfaction of the board their competency and who have at least eight (8) years of experience in geology.

(b) Five (5) years of experience in professional geologic work. Professional geologic work may include the instruction of geology at the college or university level, the geological research of persons at the college or university level, geological work performed while in the employment of the United States, state, or local governments. In counting years of experience, the board may give one (1) year of credit each for a master's degree or doctoral degree in geology, geophysics, geochemistry or geological/geotechnical engineering; and

- 1 (c) A passing score on an examination required by the board that has been
2 designed to demonstrate that the applicant has the necessary knowledge and
3 skill to exercise the responsibilities of the public practice of geology.

4 **(d) Enrollment by the board as a geologist-in-training.**

- 5 (2) During the twelve (12) month period beginning one hundred and eighty (180) days
6 after July 14, 1992, the board shall waive the examination requirement for
7 applicants qualified by education and experience as provided in subsection (1) of
8 this section.

- 9 (3) Credit toward the experience and education requirements shall be subject to
10 evaluation and approval by the board.

- 11 (4) Documentation of competency and integrity may be required by the board.

- 12 (5) Upon application, registration may be provided to those registered or certified as
13 geologists in another state having standards at least equal to those provided in this
14 section. During a twelve (12) month period beginning one hundred and eighty (180)
15 days after July 14, 1992, registration may be provided to those holding a valid
16 certification from the American Institute of Professional Geologists or the Division
17 of Professional Affairs of the American Association of Petroleum Geologists.

18 Section 3. KRS 322A.070 is amended to read as follows:

- 19 (1) The board shall issue a certificate of registration, upon payment of the registration
20 fee, to any applicant who, in the opinion of the board, has satisfactorily met all the
21 requirements for registration under KRS 322A.040. Certificates of registration shall
22 show the full name of the board. The issuance of a certificate of registration by the
23 board shall be prima facie evidence that the person named thereon is entitled to all
24 the rights and privileges of a registered geologist while the certificate of registration
25 remains in force.
- 26 (2) Each registrant may, upon registration, obtain and use a seal or stamp of registration
27 of the design authorized by the board, containing the registrant's name and number

1 and the legend "Registered Professional Geologist."

2 (3) A replacement certificate of registration may be issued, subject to the administrative
3 regulations of the board, to replace any certificate lost, destroyed or mutilated.

4 (4) No person shall affix his signature or stamp, seal, or certify any reports or other
5 documents after the certificate of registration of the registrant named thereon has
6 been suspended or revoked, unless the certificate of registration has been renewed
7 or reissued.

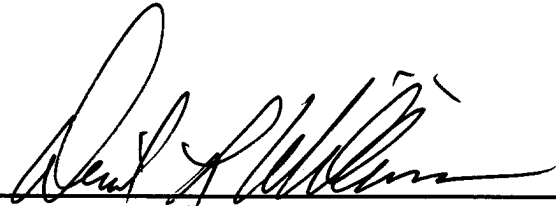
8 (5) The board shall issue a certificate of certification as a geologist-in-training to an
9 applicant who pays the registration fee and who, in the opinion of the board, has
10 satisfactorily met the requirements of Section 4 of this Act. Certificates of
11 certification shall show the full name of the applicant and the full name of the
12 board. The issuance of a certificate of certification by the board shall be prima
13 facie evidence that the person named thereon has enrolled and is entitled to the
14 rights and privileges of a geologist-in-training while the certificate remains in
15 effect. The board shall determine the initial and expiration dates for the
16 certificate.

17 SECTION 4. A NEW SECTION OF KRS CHAPTER 322A IS CREATED TO
18 READ AS FOLLOWS:

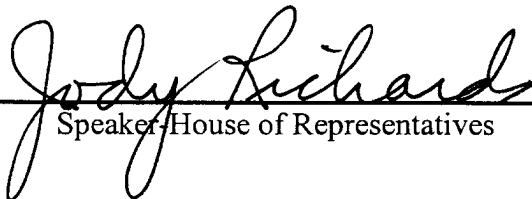
19 The applicant for certification as a geologist-in-training shall demonstrate the
20 following as evidence that he or she is qualified:

21 (1) Successful completion of a minimum of thirty (30) semester hours or forty-five
22 (45) quarter hours of course work in geology culminating in a baccalaureate or
23 advanced degree in geology, geophysics, geochemistry, or geological or
24 geotechnical engineering from an accredited college or university. At the
25 discretion of the board courses dealing with applied geological science given
26 under the auspices of an academic department other than geology may be
27 considered toward fulfillment of this requirement.

- 1 (2) A passing score on the board's examination in the fundamentals of geology. The
2 board may allow students enrolled in the final year of an approved
3 undergraduate program to take this examination. Upon passing the examination,
4 the applicant may apply to the board to be enrolled and receive a certificate as a
5 geologist-in-training.

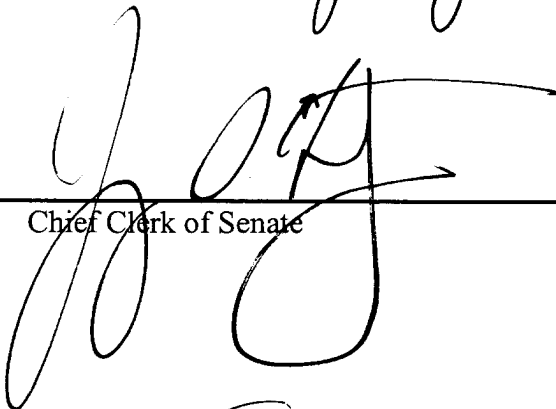


President of the Senate



Speaker House of Representatives

Attest:



Chief Clerk of Senate

Approved 

Governor

Date 

March 18, 2005